



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,924	04/24/2006	Hal Ambuter	102792-161 (11015P3 US)	7632
27389	7590	03/26/2009	EXAMINER	
NORRIS, MC LAUGHLIN & MARCUS			CHAUDHRY, SAEED T	
875 THIRD AVE				
18TH FLOOR			ART UNIT	PAPER NUMBER
NEW YORK, NY 10022			1792	
			MAIL DATE	DELIVERY MODE
			03/26/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/565,924	AMBUTER ET AL.	
	Examiner	Art Unit	
	Saeed T. Chaudhry	1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2 and 15-30 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1,2 and 15-30 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/06</u> . | 6) <input type="checkbox"/> Other: ____ . |

DETAILED ACTION

Applicant's preliminary amendments and remarks filed January 25, 2009 have been acknowledged by the examiner and entered. Claims 3-14 have been canceled and claims 1-2, 15-30 are pending in this application for consideration.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
(c) he has abandoned the invention.
(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States.
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
(f) he did not himself invent the subject matter sought to be patented.
(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

Claims 1, 15-18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by

Tranzocchi.

Tranzocchi (GB-2104109) disclose a method for operating a dispensing unit with dispensing a plurality of wash substances (read on the treating compositions) in washing machine; operating a cartridge with four compartments containing plurality of washing substances; wherein only one compartment and one wash substance is activated at a time. The reference discloses to use bleach, which is correspond to hypohalite/peroxyxygen detergent (see

page 1, lines 28-36, 90-93 and Fig. 5. Tranzocchi discloses all the limitations as claimed herein. Therefore, Tranzocchi anticipate the claimed process.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 2, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tranzocchi in view of Kapur et al.

Tranzocchi was discussed supra. However, the reference fails to disclose enzymatic detergents and rinse agents.

Kapur et al. (6,998,375) disclose steps of dosing detergent into a dispenser at the beginning of each wash and filling a salt and rinse aid reservoirs at intervals are required. Also, disclose enzymatic detergent treating composition and multi-compartment pouches provided within the washing machine(see col. 1, lines 62-65, col. 3, line 67 and col. 4, lines 49-50).

It would have been obvious at the time applicant invented the claimed process to include cartridge within the washing machine, enzymatic detergent and rinse aid as disclosed by Kapur

et al. in the process of Tranzocchi for the purpose of efficient cleaning, since enzymatic detergent, rinse aid and providing cartridge in the washing machine are well known for better cleaning.

Claims 22-25 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tranzocchi in view of Kapur et al. and Reinert et al.

Tranzocchi Kapur et al were discussed supra. However, the reference fails to disclose sensors sensing a parameter of the washing machine and conveying the parameter back to the cartridge influencing the operation of a cartridge chamber.

In an analogous art, Reinhart et al. (4,592,785) disclose a pH electrode (read on the sensor), which is in continuous contact with the washing solution and senses the hardness of the water and also the level of soil in the washing process. Depending on the measurements of the electrode the appropriate amount of softener or detergent are added in the process of dishwasher (see col. 2, line 10-16, col. 8, lines 45-65, col. 8 and line 66 to col. 9 line 28).

It would have been obvious at the time applicant invented the claimed process to incorporate a sensor as disclosed by Reinert et al. into the process of Tranzocchi for the purpose of controlling the amount of detergent added in the washing process for reducing the amount of detergent and efficient result of cleaning.

Claims 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tranzocchi in view of Kapur and Reinert as applied to claims 23 and 27 above, and further in view of Roth.

Tranzocchi and Reinert et al. were discussed supra. However, the reference fails to disclose a load sensor for washing machine.

Roth (6,622,754) discloses a method of determining a dish load for an automatic dishwasher (see abstract and col. 7, lines 19-55).

It would have been obvious at the time applicant invented the claimed process to incorporate load sensor as disclosed by Roth into the process of Tranzocchi for the purpose of having a wash cycle which is proportional to the load amount.

The Prior art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rodd et al. (6,581,800) disclose dishwasher has at least two separate compartments for respectively receiving and dispensing an active composition and an opening mechanism for the compartments.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeed T. Chaudhry whose telephone number is (571) 272-1298. The examiner can normally be reached on Monday-Friday from 9:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Michael Barr, can be reached on (571)-272-1414. The fax phone number for non-final is (703)-872-9306.

When filing a FAX in Gp 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are for entry into the file of the application. This will expedite processing of your papers.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/565,924
Art Unit: 1792

Page 6

Saeed T. Chaudhry
Patent Examiner

/Michael Barr/
Supervisory Patent Examiner, Art Unit 1792